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Date: March 31, 2016
From: Cook County Drug Analysis Field Test Pilot Program Study Committee

Subject: 50 ILCS 737/1 Pilot Program Study Committee Second Quarterly Preliminary Report for First Quarter, March 31, 2016

Introduction

Per the Cook County Drug Analysis Field Test Pilot Program Act (50 ILCS 737) the program study committee shall submit preliminary reports to the General Assembly on a quarterly basis. These reports shall include:

(1) the number of persons entered into custody subject to a drug analysis field test;
(2) the number of persons released from custody at any point before a preliminary examination subject to a drug analysis field test;
(3) the number of days each defendant remains in custody from arrest until preliminary examination; and
(4) any other information the Study Committee deems relevant.

The preliminary reports shall be submitted to the General Assembly on: December 31, 2015; March 31, 2016; and June 30, 2016. This is the second of three preliminary reports.

Program Status

This quarter has seen the first group of individuals pass through the program. Attached is an anonymized spreadsheet generated by the Cook County State's Attorney's Office that contains the offender's time in custody, substance amount, number of felony convictions in the offender's background, and whether the offender is in custody, out on bond, out on an I-bond, or out on electronic monitoring for the all individuals who passed through the pilot program.

- A total of ninety-four (94) individuals have been admitted to custody (for at least 1 day according to CCSAO records) subject to a drug field test from the 6th district. Fifty-two (52) individuals were charged under The Cannabis Control Act (20 ILCS 550/4 subsections A through D) representing both misdemeanors and felonies. Forty-two (42) were charged under the Illinois Controlled Substances Act (720 ILCS 570/402), all of which are felony charges. Only one (1) individual, according to Chicago Police Department data had a negative test result (indicating suspect material was not cocaine/heroin).

- The Cook County State's Attorney's Office has directed its Assistant State's Attorneys to request preliminary hearing dates one week from the time of the bond hearing (which is typically one day after arrest) for those coming in through the pilot program. The ~7 day time to preliminary hearing represents a significant reduction from the current average time to preliminary hearing which is 17 days. Of the 94 individuals admitted to custody under the program, 15 have been in custody long enough to be affected by the shorter time to preliminary hearing (they have had stays of longer than 7 days). The cases of these 15 are either ongoing or resolved at some point after preliminary hearing.
- 79 of the 94 individuals left custody at some point before their preliminary hearing or other next court date (in case of misdemeanors). These individuals left custody either by posting bond, being given an I-bond (personal recognizance), or being given electronic monitoring.

Enclosures include: (1) minutes of the March 10, 2016 meeting; (2) 1st Quarter Preliminary Report; (3) anonymized spreadsheet on offenders coming through the program (by individual charges) from the Cook County State's Attorney's Office; and (4) document from Chicago Police Department noting number of test kits used for pilot program and results from January 1 through March 7, 2016.

Arrests - 6th District Drug Analysis Test Pilot Program
Test Kits Inventoried
City of Chicago
1 January - 07 March 2016

INVENTORY TYPE*	TOTAL
CANNABIS TEST KIT - POSITIVE	63
COCAINE/HEROIN SAMPLING CARD - NEGATIVE	1
COCAINE/HEROIN SAMPLING CARD - POSITIVE	35

Source: CLEARDW; ARRESTS_ALLV, CHARGE_CODES, ETRACK_INVENTORIES; MV_OWNER.RECOVERED_NARCOTICS_MV; Query 08 March 2016

*Note: Includes all test kits inventoried. Some Arrestees were charged with other crimes as the first charge. Some arrests used multiple test kits.

Approved:

Karen Conway

Karen Conway, Director
Research and Development Division

Date: March 10th, Noon, 750 N. Lake Shore Drive
Subject: March 10th, Meeting Minutes, 50 ILCS 737/1 Pilot Program Study Committee
Those attending: Ali Abid (Chicago Appleseed Fund for Justice, designated by Cook County Justice Advisory Council), Ray Robinson (Designated by Cook County Board President's Office), Floyd Stafford (Cook County Justice Advisory Council), Jan Johnson (Illinois State Police), Tony Iweagwu (City of Chicago Mayor's Office), Lt. Luna (Cook County Department of Corrections), Matt Burke (Cook County Department of Corrections), Kevin Hughes (Cook County State's Attorney's Office), Tom Stoyias (Chicago Police Department), Karen Conway (Chicago Police Department).

CPD provided the number of individuals passing through the pilot program from January 1 to March 7 (63 tested positively for cannabis, 35 tested positively cocaine/heroin, and 1 tested negative for cocaine/heroin), of these 3 were admitted to CCDOC.

SAO is asking for 1 week dates for preliminary hearings for those coming through the pilot program. This would represent a significant reduction in time to preliminary hearing. The average between bond court and preliminary hearing is 17 days (already representing a reduction from 2012 numbers, when the median was reportedly ~21 days).

Kevin Hughes will provide a more detailed breakdown of these individual charges, time between bond court and preliminary hearing.

The data points we are looking for is the following:

- Quantity of drugs
- Preliminary hearing dates
- Bond Decision
- Bond Posting
- Time in Jail
- Background – number of prior felony convictions

Tom Stoyias will explore the CPD's ability to pull another district's numbers for these charges during this time period to function as a control group.

The next quarterly preliminary report is due to the legislature on March 31. Ali Abid will take the lead in preparing it and will share materials and numbers to the whole group as they come through.

Arrests for All Cannabis (720 ILCS 550.0/4-A through D)			
TIME IN CUSTODY (Days)	**AMOUNT OF CANNABIS**	**BACKGROUND**	**BOND/EM/ CUSTODY**
1	Cannabis - Possess Less than 2.5g	4 Felonies	I-Bond
1	Cannabis - Possess Less than 2.5g	1 Felony	I-Bond
1	Cannabis - Possess Less than 2.5g	1 Felony	I-Bond
1	Cannabis - Possess Less than 2.5g	5 Felonies	Stricken Off
1	Cannabis - Possess Less than 2.5g	0 Felonies	Stricken Off
1	Cannabis - Possess Less than 2.5g	1 Felony	I-Bond
1	Cannabis - Possess Less than 2.5g	1 Felony	I-Bond
1	Cannabis - Possess Less than 2.5g	1 Felony	Stricken Off
	NO RECORD		
	NO RECORD		
1	Cannabis - Possess Less than 2.5g	1 Felony	I-Bond
1	Cannabis - Possess Less than 2.5g	1 Felony	Stricken Off
1	Cannabis - Possess Less than 2.5g	0 Felonies	I-Bond
1	Cannabis - Possess Less than 2.5g	1 Felony	Bond
1	Cannabis - Possess 2.5-10g	10 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	2 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	1 Felony	I-Bond
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	0 Felonies	Stricken Off
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
5	Cannabis - Possess 2.5-10g	1 Felony	Custody
3	Cannabis - Possess 2.5-10g	2 Felonies	EM
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	0 Felony	Bond
1	Cannabis - Possess 2.5-10g	1 Felony	Stricken Off
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	1 Felony	I-Bond
	NO RECORD		
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond

1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	11 Felonies	I-Bond
2	Cannabis - Possess 2.5-10g	25 Felonies	Bond
1	Cannabis - Possess 2.5-10g	4 Felonies	I-Bond
1	Cannabis - Possess 2.5-10g	0 Felonies	I-Bond
3	Cannabis - Possess 2.5-10g	2 Felonies	Custody
2	Cannabis - Possess 2.5-10g	0 Felonies	EM
2	Cannabis - Possess 2.5-10g	25 Felonies	Bond
1	Cannabis - Possess 10-30g	1 Felony	Bond
1	Cannabis - Possess 10-30g	2 Felonies	I-Bond
Info Not Available	Cannabis - Possess 10-30g	8 Felonies	Info Not Available
1	Cannabis - Possess 10-30g	3 Felonies	I-Bond
1	Cannabis - Possess 10-30g	2 Felonies	Bond
1	Cannabis - Possess 10-30g	1 Felony	I-Bond
1	Cannabis - Possess 10-30g/Subq	15 Felonies	Bond/EM
2	Cannabis - Possess 10-30g/Subq	4 Felonies	Bond
1	Cannabis - Possess 10-30g	2 Felonies	Bond
	NO RECORD		
1	Cannabis - Possess 10-30g	2 Felonies	Bond
1	Cannabis - Possess 30-500g	8 Felonies	Bond
18	Cannabis - Possess 30-500g	3 Felonies	Bond
1	Poss Cannabis/30-500g/Subq	5 Felonies	Bond
15* (case still ongoing)	Cannabis - Possess 30-500g	7 Felonies	Custody

Arrests for all Subchapters of 720 ILCS 570.0/402				
	TIME IN CUSTODY (Days)	AMOUNT OF CONTROLLED SUBSTANCE	BACKGROUND	BOND/EM/ CUSTODY
	20	0.2 g - Cocaine	8 Felonies	Custody
	1	0.3 g - Heroin	7 Felonies	Bond
	22	0.2 g - Cocaine	9 Felonies	Custody
	18	0.01 g - Heroin	18 Felonies	Custody
	23* (case still ongoing)	3.0 g - Cannabis	23 Felonies	Custody
	23* (case still ongoing)	0.1 g - Heroin	23 Felonies	Custody
	23* (case still ongoing)	3.0 g - Cannabis	23 Felonies	Custody
	23* (case still ongoing)	0.1 g - Heroin	23 Felonies	Custody
	2	(amount not listed) - Cannabis	6 Felonies	Bond/EM
	2	0.1 g - Cocaine	6 Felonies	Bond/EM
	1	0.4 g - Cocaine	3 Felonies	Bond
	85* (case still ongoing)	0.15 g - Heroin	6 Felonies	Custody
	1	1.0 g - Cocaine	4 Felonies	Bond
	1	1.0 g - Heroin	12 Felonies	Bond
	1	1.0 g - Heroin	4 Felonies	Bond
	1	1.0 g - Heroin	6 Felonies	Bond
	1	3.0 g - Heroin	6 Felonies	Bond
	1	1.0 g - Heroin	3 Felonies	Bond
	7	1.0 g - Cocaine	5 Felonies	Bond
	3	0.1 g - Cocaine	2 Felonies	Bond
	25* (case still ongoing)	0.8 g - Cocaine	4 Felonies	Custody
	1	0.1 - Cocaine	1 Felony	Bond
	1	2 pills - Ecstasy	2 Felonies	Bond

		23	0.2 g - Cocaine	4 Felonies	Bond
		14* (case still ongoing)	2 oz. - Codeine	3 Felonies	Custody
			NO RECORD		
		1	1.6 g - Cocaine	1 Felony	Bond
		1	5.0 g - Cannabis	2 Felonies	Bond
		1	1 pill - Xanax	2 Felonies	Bond
		1	0.5 g - Heroin	6 Felonies	Bond
		1	1,256.0 g - Cocaine	14 Felonies	Bond
		1	5.0 g - Cannabis	6 Felonies	Bond
		1	20.0 g - Cocaine	6 Felonies	Bond
		27* (case still ongoing)	45.0 g - Cocaine	4 Felonies	Custody
		2	33.0 g - Cannabis	4 Felonies	Bond
		61* (case still ongoing)	1.0 g - Cannabis	4 Felonies	Custody
		61* (case still ongoing)	5 pills - Ecstasy	4 Felonies	Custody
		1	3.0 g - Cannabis	1 Felony	Bond
		1	3 pills - Methadone	1 Felony	Bond
		25* (case still ongoing)	2.1 g - Heroin/Cocaine	2 Felonies	Custody
		1	0.6 g - Cocaine	6 Felonies	Bond
		1	0.2 g - Heroin	18 Felonies	Bond
		1	0.1 g - Heroin	5 Felonies	Bond
		14	0.1 g - Cocaine	6 Felonies	Bond/EM
		14	1.2 g - Cannabis	6 Felonies	Bond/EM
		1	170.0 g - Codeine	1 Felony	Bond
		1	1.0 g - Cannabis	1 Felony	Bond
		1	226.0 g - Barbituates	1 Felony	Bond
		1	5.0 g - Cocaine	3 Felonies	Bond
		2	2.0 g - Heroin	4 Felonies	Bond
		27	1.4 g - Heroin	10 Felonies	Custody
		14	3.4 g - Heroin	22 Felonies	Bond
		1	13.6 g - Heroin	6 Felonies	Bond

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Date: December 31, 2015
From: Cook County Drug Analysis Field Test Pilot Program Study Committee

Subject: 50 ILCS 737/1 Pilot Program Study Committee Quarterly Preliminary Report for First Quarter, December 31st 2015

Introduction

Per the Cook County Drug Analysis Field Test Pilot Program Act (50 ILCS 737) the program study committee shall submit preliminary reports to the General Assembly on a quarterly basis. These reports shall include:

(1) the number of persons entered into custody subject to a drug analysis field test;
(2) the number of persons released from custody at any point before a preliminary examination subject to a drug analysis field test;
(3) the number of days each defendant remains in custody from arrest until preliminary examination; and
(4) any other information the Study Committee deems relevant.

The preliminary reports shall be submitted to the General Assembly on: December 31, 2015; March 31, 2016; and June 30, 2016.

This is the first of three preliminary reports. The majority of this first quarter of the pilot program has been devoted to the obtaining field-testing units, training of Chicago Police Department Officers in using the field testing equipment, and in forming the information sharing mechanisms by which to collect data on jail stays and time to preliminary hearings. Therefore much of the information in this report relates to preparing for implementation and it does not yet contain numbers or data on persons currently entered into custody under this program.

Enclosures include: (1) minutes of the November 13, 2015 meeting and November 24, 2015 phone call of the Program Study; (2) CPD Policy on the pilot program (Department Notice D15-07, September 28, 2015 (Revised 31 Dec 2015 effective 03 Jan 2016)); (3) training presentation materials for CPD officers of the 6th District; and (4) brochure related to the X-Cat Field Testing Devices and operating manual.

Pilot Area, Testing Devices, Policy, and Training

- The Pilot Program will be conducted throughout the 6th Police District. The 6th Police District Stationhouse is located at 7808 S. Halsted Street. The district extends from 75th Street to 95th Street to the North and South, respectively, and from Western Avenue to Dauphin Avenue to the West and East, respectively.

- Two (2) field testing kits, X-Cat Units by Red X Defense have been obtained by CPD and are located in the 6th District Police Station.

- An X-Cat unit is a handheld device that provides one-step detection of narcotics, explosives, and gunshot residue. For the pilot program the X-Cat units will be used to test for heroin and cocaine. Turnaround time is between 5-10 seconds and the accuracy level of the tests is high: ~99.8%. The machine displays its results through lit indicators. X-Cat units were first tested and approved as a presumptive field test kit by the Commonwealth of Virginia, Department of Forensic Science. They are currently used in 35 states and 22 countries. More information is contained in the enclosed operational guide and training presentation.

- The Duquenois-Levine Reagent System Kits are also available at the 6th district police station and are to be used for the testing of all marijuana related to an arrests by 006th District officers.
- Chicago Police Department issued a policy, department notice D15-07, 31 Dec 2015 effective 03 Jan 2016));, detailing the procedures and responsibilities for officers in the 6th district to carry out and record field test as well as placing suspect narcotics and any packaging in inventory.

- Training in the use of field kits consisted of e-learning components for all watches of the 6th district. A Training module was completed in December and officers are currently being trained..

- Implementation of the pilot program began 03 Jan 2016.

- CCDOC conducted a preliminary snapshot of individuals arrested on primarily drug charges. Of the 90 people pulled it was determined that they spent an average of 18 days between bond court and their 1st court appearance (which would be their preliminary hearing).

Information Sharing between Agencies

For the purposes of data collection. The Cook County Department of Corrections (CCDOC) will attempt to flag drug cases from the 6th district and review I-clear to see if field testing was conducted. CCDOC will track those files for length of stays in CCDOC and for time before their preliminary hearing. In order to assist the CCDOC in detecting which cases are coming from the 6th district, the CPD will email CCDOC staff with the necessary arrestee information.

For the purposes of moving up times to preliminary hearing. The CPD will include information regarding whether field testing was conducted and all the necessary information relating to the results of the field test in the narrative of the police report which

is included in the information that the Assistant State's Attorneys receive at bond court. This information will enable the ASAs to request preliminary hearing dates which can be earlier than if they had still been awaiting test results.